THE BUREAU BULLETIN

CONNECTICUT STATE
DEPARTMENT OF EDUCATION

From the Bureau of Special Education

## **Brief from the Chief**

Welcome Back, Bulletin Readers!

The following remarks are from Anne Louise Thompson, Chief, Bureau of Special Education, made at the 6th Annual Special Education Back-To-School event held September 16, 2009:

Good morning and welcome to our Sixth Annual Special Education Back-To-School gathering. Last year, the 2008-09 school year, presented all of us with many challenges as we were faced with one of the most devastating economic crises of our times, which noticeably affected the availability of resources to operate our schools as well as our operations at the Department.

And I challenged you at last year's Back-To-School, to learn how to dance in the rain rather than waiting for the storm to pass, as the situation in our schools, the state and this country was not to be just a passing shower. And you all felt the winds and rains from that storm, as you served as leaders and educators within our schools and for our states' children. As you have entered this school year, I know many of you continue to feel the effects of this economic hurricane on the availability of resources to do the important work of educating our students with disabilities. We at the Bureau and Department have read your local papers that have reported on your situations and board and town's actions. We've fielded your calls as well as those calls from your superintendents, business managers and in some situations, your town managers and local legislators.





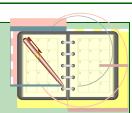
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#### Mark Your Calendars...

- Exiters PSIS/SEDAC Timely Due Date: September 15, 2009
- Exiters PSIS/SEDAC Accurate Due Date: September 30, 2009
- ED 166 Accurate Due Date: October 2, 2009
- Early Childhood Outcomes Timely Due Date: November 1, 2009
- Early Childhood Outcomes Accurate Due Date: November 15, 2009
- SEDAC-G December final certification statutory Due Date: December 1, 2009
- SEDAC Oct 1 Child Count Timely Due Date: December 11, 2009
- SEDAC Oct 1 Child Count Accurate Due Date: December 18, 2009
- SEDAC-G December final certification statutory Due Date: December 1, 2009

Click <u>here</u> for the updated 2009-2010 Timely and Accurate calendar! Also, click <u>here</u> for the Special Populations Data Collection schedule for 2010 CMT/CAPT Assessments.

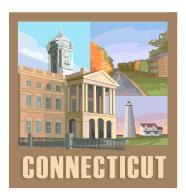




# Featured Story: Back to School Event

The Sixth Annual Back-To-School special education event was held September 16, 2009, at the Crowne Plaza Hotel in Cromwell. Representatives from local education agencies (LEAs), approved private schools, regional education service centers (RESCs), parent advocacy organizations and other agencies attended the informational meeting hosted by the Connecticut State Department of Education (CSDE). From 8:30 a.m.-noon, the audience listened to education consultants from the Bureau of Special Education (BSE) and other bureaus cover an array of topics anticipated to have an impact for the 2009-10 school year. Material on these topics presented at the event are included here for your convenience.

- · American Recovery and Reinvestment Act/Fiscal
- · NIMAS/NIMAC
- · Secondary Transition
- · Learning Disability (LD) Guidelines and Extension Updates
- · CMT/CAPT Update
- · Data & Other Related Topics
- · Bureau Bulletin/General Supervision
- · Focused Monitoring Update



Highlights from the morning session also included a stirring keynote address from the U.S. National Teacher of the Year, Anthony Mullen. Mullen, as previously reported in the *Bureau Bulletin*, is a special educator from Greenwich Public Schools.

From 12-12:30 p.m., attendees also had the opportunity to select from one of the many break out topics and meet with BSE consultants by topic areas: restraint/seclusion, focused monitoring, assessment modifications and secondary transition were just a few of the choices. In the afternoon, attendees had the option of attending two additional sessions designed to address current needs in the field. Bureau Chief Anne Louise Thompson facilitated a meeting among special education directors either new to Connecticut or new to the field. Topics included the October 1 data collection/tour of special education data application and collection (SEDAC) and dispute resolution. Attendees were able to engage in dialogue and pose questions to the Chief. The second afternoon session was on Indicator 11: Evaluation Timelines. While the session was developed for districts that did not meet compliance with this indicator, all districts were invited to attend and learn how to avoid compliance issues in the future. Dr. Jacqueline Kelleher, BSE, Education Consultant, led the session that featured an overview of the indicator and its alignment to Connecticut's General Supervision System, a discussion using case studies of common noncompliance areas, and an idea exchange facilitated by Connecticut's own Directors of Special Education: Deirdre Osypuk, Jeff Forman and Brian Farrell. The BSE is grateful to all who helped make this event a success and to all who took time away from their busy schedules to attend. We look forward to a collaborative, productive 2009-10!



## State of the State

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## **Legislative Update**

On June 22, 2009, Commissioner Mark K. McQuillan provided the public with a circular letter highlighting the major education legislation passed during the 2009 Regular Session of the Connecticut General Assembly (C-18). We hope readers will take a moment to review a more comprehensive summary of all of the public and special acts that appear to be of general applicability and inter-



est to school districts from the previous year. Readers may access this information by selecting this <u>Web site</u>. If you have any questions about the new legislation, State Department of Education (SDE) staff members are ready and willing to help you. Please contact Attorney Jennifer Widness of the Division of Legal and Governmental Affairs, at 860-713-6515 or at <u>jennifer.widness@ct.gov</u>. And, of course, please stay tuned to the *Bulletin* for future updates and announcements.

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## Autism Insurance Bill

Governor M. Jodi Rell signed into law, on June 9, a measure to expand group health insurance coverage for the diagnosis and treatment of autism spectrum disorders (ASDs). P.A.09-115 requires insurance companies to cover costs for applied behavior analysis (ABA) behavioral therapy for children under 13 years of age as well as certain prescribed drugs and direct psychiatric and psychological services. The bill permits a policy to establish a maximum annual dollar limit for behavioral therapy of \$50,000 for children less than 9 years of age and \$35,000 for children 9-12 years old. For more information on the passage of this bill into law, please click here.

#### Use of ARRA Funds

A preliminary analysis looking at how LEAs in Connecticut are planning to use ARRA IDEA Part B dollars reveals that a majority of funds will be invested in developing new programs and increasing staff (74%) and in providing in-service training and professional development (67%). Another area of anticipated expenditures is purchasing equipment and technology (67%). Transitional services and data management are also being supported using ARRA funds.

Certification

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At this time, the CSDE is making final edits to the new Common Core of Teaching (CCT) based on feedback from a panel of "expert" reviewers. The CCT will then be sent out state-wide electronically distributed for a job analysis survey. Based on the feedback received through the job analysis survey about the CCT standards, the CSDE will make further edits and revisions to the document. When the feedback process is complete, further edits and revisions will be made prior to presentation to the State Board of Education (SBE) for adoption. The CSDE is also preparing the proposed (new) certification regulations to present to the SBE at the November 4 meeting. We will be asking the SBE for "intent to adopt", which announces the public comment period on the regulations. The draft regulations will then be posted to the CSDE Web site and public hearings will be scheduled in at least 3 regions, most likely in December/January. For more information about the CCT or the proposed certification regulations, please contact Georgette Nemr in the Bureau of Educator Standards and Certification at georgette.nemr@ct.gov or by calling 860-713-6716.

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## State of the State (continued)

#### LD Identification Extension



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The IDEA introduced significant changes in the procedures and allowable options for states in determining eligibility for students with a specific learning disability. Connecticut has adopted a process that incorporates scientific research-based interventions (SRBIs) and data-based documentation to determine a student's response to intervention. This process is part of the comprehensive evaluation designed to determine if a student is eligible for special education services under the category of specific learning disability. While Connecticut guidelines allowed for the use of an IQ-achievement discrepancy, elimination of this method in eligibility determination decisions, effective as of July 1, 2009, was previously communicated and explained in the CSDE guidance document Using Scientific Research-Based Interventions: Improving Education for All Students Connecticut's Framework for RTI (2008). This change in practice is intended to improve instruction, assess students in more relevant ways, produce more efficient use of data and improve the appropriate identification of students with a specific LD. Yet, the CSDE also recognizes the challenge that each district faces in addressing this major shift in current practices. Therefore, the CSDE offered an extension to districts until either January 15, 2010, or June 30, 2010, for the full implementation of the new state criteria for identification of a student as having a specific LD. Districts may not postpone the use of SRBIs with students or the provision of data-based documentation to parents. These are required by 34 C.F.R. §300.309 of the IDEA as part of the assurances that a student suspected of having a disability has been provided with "appropriate instruction." Applications have been processed and accepted. The application requires a written plan of action and assurances of implementation of the plan from both general and special education administration. Resources to assist in developing the district plan are available at <a href="http://www.sde.ct.gov/sde/cwp/view.asp?">http://www.sde.ct.gov/sde/cwp/view.asp?</a> a=2678&Q=320730#Application. Back to *Inside this Issue* 

## Birth to Three: Child Development Infoline

The Birth-To-Three System implemented a change to their policies and procedures specific to the referral of children who are nearing their third birthday. Starting on **July 1**, **2009**, all children who are referred to the Birth-To-Three System within 45-calendar days of their third birthday will be referred on to the responsible school district. Referrals to the Birth-To-Three System go directly to one source, the Child Development Infoline (CDI). CDI manages the referral line, which receives and processes all referrals of chil-



dren between the ages of birth to the age of three. Now, for those children who are within 45-calendar days of their third birthday, CDI will be directing the referral source to contact the child's responsible school district. Referral sources will be given the name of the school district, the primary contact person and the specific contact information. In some cases, CDI may be making the referral of a child to the school district on behalf of a referral source. As a result of the Birth-To-Three System's policy change, children who are within 45-calendar days of their third birthday will not be evaluated by the Birth-To-Three System. The child's school district will be responsible for these children who are not yet the age of three. For more of this article or to locate information about Child Find under IDEA 2004, please click <a href="mailto:here">here</a>. Questions can be directed to Maria Synodi at 860-713-6941 or via e-mail at <a href="mailto:maria.synodi@ct.gov">maria.synodi@ct.gov</a>.

Please click <u>here</u> for the latest information on **Novel H1N1 Influenza Virus: Implications for Connecticut Schools** and resources available to public schools in Connecticut!



## DCF: Delinquency & Educational Responsibility

Several questions have arisen about the educational responsibility for children who are committed to the Department of Children and Families (DCF) as delinquent and the responsibility of boards of education to provide services to these children under the state agency placement language. A child may be committed to the DCF as delinquent. Subsequent to this delinquency commitment, the child may be returned home or may be removed from the home to any one of several placement options, including but not limited to residential treatment, placement in a group home or placement in foster care. A child who is committed as delin-

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quent may experience more than one type of placement during the period of commitment. For example, the child may be placed at a residential facility and then may be discharged from the residential facility to a group home. Each of these placements qualifies as a state agency placement under the provisions of Sections 10-76d (e) (2) and Section 10-253(a) of the state statutes. Under the state agency placement educational jurisdiction system, the town where the child would otherwise be attending school is the town where the child's parent(s) or guardian(s) resides.

For a child who is not eligible for special education, the responsibility for educational services is with the town where the child is residing as a result of the placement. There is no provision for the town providing services to bill tuition expenses to the town where the child would otherwise be attending school. For a child who is eligible or may be eligible for special education, the town where the child would otherwise be attending school (the nexus district) is responsible for the child's IEP and may be billed by the town where the child is attending school for the reasonable costs of special education instruction. Under the IDEA 2004 revisions, the child's current IEP must be implemented with comparable services until the nexus district convenes a planning and placement team (PPT) meeting with the town where the child is attending school to revise the IEP. Please click here for more of this article.

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# **Bureau Happenings**

## Secondary Transition Updates for 2009-10

Based on the IDEA 2004, the OSEP has redefined the way Indicator 13 is to be measured: "percent of youth with IEPs aged 16 and above with an IEP that includes appropriate, measurable, postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority." (20 U.S.C. 1416(a)(3)

(B)) Details of the impact of the way this "new" indicator is to be measured can be found in the *Secondary Transition Back-to-School* PowerPoint presentation and the attached *Secondary Transition Updates* article. Details about changes in adult services, suggestions to improve IEPs and services for transition-age students, new resources and upcoming professional development are described. For further information about secondary transition, contact: Dr. Patricia Anderson at patricia.anderson@ct.gov.

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# Bureau Happenings (continued) Bureaus Merge

Over the summer, the CSDE merged two bureaus to form the Bureau of Teaching & Learning. The Bureau of Curriculum and Instruction and the Bureau of Early Childhood Education have merged into the Bureau of Teaching and Learning with Harriet Feldlaufer as the new Bureau Chief. Click <a href="here">here</a> for the latest edition of their newsletter announcing the new changes.

#### SPP-APR Corner: Indicators 9 & 10

To assure your LEA does not fall into noncompliance, the following information is to assist you with understanding the status of the state. This information is to provide you with resources used to examine policies, procedures and practices so they do not lead to disproportionality in your LEA. In accordance with Connecticut's SPP for indicators 9 and 10 which specifically address disproportionate representation, the CSDE has determined that a district which has a Relative Risk Index (RRI) equal to or greater than 2.0

by race and ethnicity in: (1) any of the six disability categories (autism, learning disabilities, emotional disturbance, intellectual disability, other health impairments, speech or language impairments); or (2) overall special education incidence rate, must complete a self-assessment of its policies and practices, make revisions to them based on that assessment and develop an action plan to reduce overrepresentation. Additionally, the CSDE is required to identify noncompliance with inappropriate identification practices. There are 15 districts that are newly identified to have disproportionate representation based on 2008-09 data, and must complete a self-assessment and action plan by October 16. There are 27 districts that had a second year of disproportionate representation based on 2007-08 data and 2008-09 data, and completed a self-assessment and action plan last year. Of the 27 districts, eight had improvements in data and must only review or revise the selfassessment and action plan completed last year. The remaining 19 districts did not have improved data in 2008-09 and must complete a student file review, in addition to a revision of the self-assessment and action plan. All 42 districts will receive ongoing correspondence to address this area of concern and, if appropriate, noncompliance will be cited. In the 2007-08 year, two districts were identified to have inappropriate identification practices and, therefore, received a citation of noncompliance that required correction within 12 months. To date, the CSDE has verified correction in one district; the other district is to have correction verified by November 2009. Each district's data, along with all materials for the self-assessment, action plan and student file reviews can be found on the BSE's SPP and APR Web site, under Indicators 9, 10. Please click here to learn more about Connecticut's obligation under the IDEA to monitor and enforce this federal requirement.

#### SPP-APR Corner: Indicator 14 Post-School Outcomes



In March 2009, the OSEP at the U.S. Department of Education revised the data collection and analysis requirements for Indicator 14, which measures the types of activities students complete in the first year since leaving high school. Due to these revisions, the CSDE is not required to collect data or report on Indicator 14 in the 2010 SPP/APR submission. Currently, the CSDE is finalizing the data collected during the pilot survey process. The CSDE would like to thank the 10 participating districts that volunteered to assist with the pilot survey process by contacting students from the district who had not yet responded to the survey in an additional effort to collect data and increase the response rate. Please click here for more of this article.

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#### Supportive Tool for Students Who are Deaf/Hard of Hearing THE BUREAU BULLETIN

A tool designed to assist in addressing the special language and communication considerations of Deaf/Hard



of Hearing students is now available. The Connecticut Coalition For the Education of Children Who are Deaf and Hard of Hearing has developed a tool to assist PPTs in the development of an appropriate communication plan as required in the IEP. For students who are deaf/hard of hearing, special consideration of their language and communication needs is required through IDEA and is reflected on page 10 of the IEP. Districts are encouraged to use this plan at the initial PPT for each student who is deaf or hard of hearing, review, and, if appropriate, revise annually to assure

that each student's unique needs are identified and addressed. While the completion of this tool reflects the combined efforts of the Coalition's partnership with the CSDE, the work has only just begun; the overarching goal of the Coalition is to recommend a blueprint for the education of students who are deaf and hard of hearing in Connecticut. The blueprint will focus on the provision of a communication-driven educational program for each student that meets the state's high academic standards and supports the social and emotional development of learners. Please keep posted to the Bulletin for updates or contact Colleen Hayles directly at colleen.hayles@ct.gov.

## ARRA Papers

The CSDE is the Connecticut state agency charged with implementing the American Recovery and Reinvestment Act of 2009 (ARRA) for programs that support elementary and secondary education. The ARRA emphasis is on spending funds quickly to save and create jobs; improving student achievement through school improvement reform; and ensuring transparency, reporting, and accountability. The BSE understands that districts may be seeking continued guidance on strategies for using the ARRA-IDEA Part B investment, throughout the two year spending period, in meeting the needs of students with disabilities. Therefore, the BSE is pleased to share with districts and programs a series of guiding documents, which highlight purchasing recommendations in the following areas: autism spectrum disorders, early childhood, parent involvement and assistive technology. Please consider these as you examine your district's use of the ARRA funds and are making revisions to your grants based on changes or evolving district needs.

## **Federal Focus**

## Q & A on Secondary Transition

The Office of Special Education and Rehabilitative Services (OSERS) has updated several question and answer (Q&A) documents on the Web site, including the "Q and A: Questions and Answers on Secondary Transition" at: <a href="http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C10%2C">http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C10%2C</a>.

Documents in the IDEA Q&A series are prepared by OSERS to address high-interest topics. Examples of posted questions and answers include:

- 1. What is the purpose of the Summary of Performance (SOP)? It is "a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals."
- What information is required and what information would be helpful to include in the SOP? Is a public agency required to include in the SOP the documentation necessary to determine a student's eligibility for the Vocational Rehabilitation (VR) Services program and/or accommodations in institutions of higher education?



Generally, the questions and answers require interpretation of the IDEA and its regulations and are not simply a restatement of the statutory or regulatory requirements. Updated FAQs on discipline, disproportionality and monitoring are also available at: <a href="http://idea.ed.gov/explore/view/p/">http://idea.ed.gov/explore/view/p/</a> <u>%2Croot%2Cdynamic%2CQaCorner%2C.</u>

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#### **Initial Evaluations: Informed Consent**

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A request by a parent, either orally or in writing, for an assessment is **not** enough to begin the actual evaluation process. The IDEA specifically requires that, prior to conducting an initial evaluation to determine whether a child qualifies as a child with a disability, a school district must obtain "informed consent" from the parents before proceeding. Under Section 300.9 of the regulations, such consent is defined to include among other things, that "[t]he parent has been fully informed of all information relevant to the activity, for which consent is being sought." A Notice and Consent-to-Conduct an Initial Evaluation [ED 625] along with a mandatory copy of the procedural safeguards notice <a href="http://www.sde.ct.gov/sde/lib/">http://www.sde.ct.gov/sde/lib/</a>

<u>sde/PDF/DEPS/Special/Prosaf.pdf</u> (necessary upon initial referral or parental request for an evaluation) provides the required informed consent according to the IDEA expectations. As part of necessary informed consent, the regulations require that "[t]he parent understands and agrees <u>in writing</u> to the carrying out of the activity for which his or her consent is sought." 34 CFR§300.9 (b)

## Assistive Technology Update

The IDEA 2004 requires PPTs to regularly consider if students need assistive technology (AT) services and devices in order to receive a free and appropriate public education (FAPE). When appropriate, PPTs shall provide AT services that assist students in selecting, acquiring and using AT devices, such as evaluation; acquisition, adaptation, maintenance, and repair or replacement of AT devices; and training for students, district personnel and families. (20 U.S.C. §1401(2)) The Connecticut Tech Act Project (CTTAP) offers different device loan programs to schools in Connecticut that can assist schools in meeting this responsibility under the IDEA 2004. Please click <a href="here">here</a> for some examples of CTTAP offerings or visit the CTTAP Web site at <a href="http://www.cttechact.com">http://www.cttechact.com</a>.



## Fall 2009 - National Speech and Language Survey

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A national survey is being conducted in order to assist in the earlier identification of children with ASDs. The survey focus on the earlier identification of young children with ASD supports the Centers for Disease Control and Prevention (CDC) "Learn the Signs - Act Early" campaign. Speech-Language Pathologists (SLPs) who work with young children 6 years of age or younger are invited to take part in this important survey. Speech-Language Pathology graduate students working under the supervision of a certified SLP may also participate. The survey consists of 20 items and should take no more than 5-10 minutes. The purpose of the survey is to obtain information about the current practices of SLPs and what those individuals recommend to the field to support them in their role in helping families reach a diagnosis of autism sooner. To participate in this confidential and anonymous survey, click: <a href="http://www.surveymonkey.com/s.aspx?">http://www.surveymonkey.com/s.aspx?</a>

sm=Ys2uJvw 2fysvnpDc4K6UpKA 3d 3d.

**Questions? Contact:** 



Lily Nalty, M.A., CCC-SLP 2008 Collaborative Research Award Recipient USC School of Medicine, Center for Disability Resources Department of Pediatrics, Team for Early Childhood Solutions Columbia, SC 29208 *Phone:* 803-935-7522

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## **Resources & Opportunities**

## The CEC Announces Competition for Students with Disabilities

The Council for Exceptional Children (CEC) is announcing its annual Yes I Can! Awards program, in the hopes that it will be distributed to those who may be interested in submitting nominations. The CEC is an international community of educators who are the voice and vision of Nashville. And every child nominated special and gifted education. The CEC's mission is to improve the quality of life for individuals with exceptionalities and their families through professional excellence and advocacy. Through the CEC's Yes I Can! Awards, students with disabilities – some for the first time in their lives are recognized for their accomplishments in nine categories: academics, arts, athletics, community service, employment, extra curricular activities, inde-

pendent living skills, self-advocacy and technology.

Students may be nominated by a parent, teacher, principal, or other adult. All 2010 winners will be acknowledged at the CEC Convention & Expo, April 21-24 in receives a certificate of accomplishment. Nominations must be postmarked by October 9, 2009. Please visit CEC's Web site for more information, including eligibility guidelines and the nomination form. Download this <u>flyer</u> and spread the word to educators and families. You can also visit CEC's YouTube page to watch a short, fun video about the Yes I Can! Awards.



Save the Date—November 10, 2009, for a Facilitated Discussion about Students with Disabilities in the Least Restrictive Environment (LRE). Click here for details!

The Walgreens Training Program is preemployment training for people with disabilities who need additional social and/or work skills in order to be successful in a job at the new Walgreens Distribution Center. The training is provided by Community Enterprises, an agency with many years of experience in working with people with disabilities. Please click here to learn more about this program.

Please click here for the updated BSE contact information sheet and here for a description of the BSE Unit Structure.

PMHP Bidder's Conference Friday, October 9, 2009 2:00 - 3:00 p.m. CSDE, Room MCR3 25 Industrial Park Road Middletown, CT 06457 Contact: Jocelyn Mackey 860-807-2042 or Jocelyn.mackey@ct.gov.

#### POWERFEST 2009: Future Generations

CT Council on Developmental Disabilities, Disability Resource Network, Department of Public Health and CT State Independent Living Council and KASA- Kids as Self-Advocates are sponsoring the Statewide Inclusive Youth Transition Festival on Saturday, October 3, 2009 from 8:30-6:00, at the University of Bridgeport, Arnold Bernhard Arts & Hu manities Center, 126 Park Avenue, Bridgeport, CT. This all day festival is for youth with disabilities, ages14-24, with the purpose of "Preparation for Adult Life", and is

packed full of sessions on advocacy, recreation and leisure, education and vocation, transportation and community socialization. There will be breakout sessions, motivational speakers, vendors, live musical entertainment and a BBQ. This event has been planned by students with disabilities. For details and registration material go to www.ct.gov/ctcdd. Contact Angela Spino at (860) 418-8709 for accommodations and/or assistance with accessible transportation requests.

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Interesting idea for a featured story? Willing to write as a guest columnist? Comments or feedback on the format? Share your thoughts with the Bureau Bulletin coordinator by e-mailing jacqueline.kelleher@ct.gov.

## **Nondiscrimination Statement**

The State of Connecticut Department of Education is committed to a policy of equal opportunity/affirmative action for all qualified persons and does not discriminate in any employment practice, education program, or educational activity on the basis of race, color, national origin, sex, disability, age, religion or any other basis prohibited by Connecticut state and/or federal nondiscrimination laws. Inquiries regarding the Department of Education's nondiscrimination policies should be directed to the Affirmative Action Administrator, State of Connecticut Department of Education, 25 Industrial Park Road, Middletown, CT 06457-1543, 860-807-2071.

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